

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SAN RAFAEL CITY SCHOOLS.

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OAH Case No. 2015070341

ORDER DENYING MOTION TO  
AMEND COMPLAINT

On July 2, 2015, Parent on behalf of Student filed with the Office of Administrative Hearings a Request for Mediation and Due Process Hearing (complaint), naming San Rafael City Schools as the respondent.

On August 14, 2015, District filed with OAH a Motion to Dismiss on grounds that the claims raised in the complaint are precluded by the parties' March 23, 2015 and April 17, 2015 settlement agreements in OAH Case number 2015021034.

On August 19, 2015, Student filed an opposition to the motion contending that the claims raised in the complaint are not moot or precluded by the settlement agreements. Student offered no authority or argument to support his opposition.

On September 11, 2015, OAH, by the undersigned, issued an order granting District's motion and dismissing the complaint.

On August 19, 2015, Student filed with OAH a motion to amend the complaint by adding several issues to the current complaint as an addendum to the complaint.

Because the underlying complaint has been dismissed, there is no complaint to add an addendum to. Thus, Student's motion to amend complaint by addendum is moot. Should Student desire to raise these issues, he will need to file a new complaint as the existing case has been dismissed.

ORDER

Student's motion to amend complaint is DENIED as it is moot.

IT IS SO ORDERED.

DATE: September 11, 2015

/s/

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ROBERT HELFAND

Administrative Law Judge

Office of Administrative Hearings